



COMMUNITY DEVELOPMENT SERVICES

ENVIRONMENTAL MANAGEMENT DEPARTMENT

<http://www.edcgov.us/EMD/>

PLACERVILLE OFFICE:

2850 Fairlane Court
Placerville, CA 95667
(530) 621-5300
(530) 642-1531 Fax

LAKE TAHOE OFFICE:

924 B Emerald Bay Rd.
South Lake Tahoe, CA 96150
(530) 573-3450
(530) 542-3364 Fax

November 28, 2017

Grays Corner Water System
Gurinderpal Gill, Owner
5 Nadia Joy Court
Sacramento, CA 95834

**RE: GRAYS CORNER WATER SYSTEM (PWS NO. 0900107)
CITATION NO. 01_39_17C_008_0900107_03**

Enclosed is the County of El Dorado, Environmental Management Local Primacy Agency Citation No. 01_39_17C_008_0900107_03 issued to Grays Corner Water System. Please note there are certain deadlines associated with this Citation.

Any person who is aggrieved by a citation issued by the El Dorado County LPA may file a petition with the State Water Resources Control Board (State Water Board) for reconsideration of the citation. Petitions must be received by the State Water Board within 30 calendar days of the issuance of the citation. The date of issuance is the date when the El Dorado County LPA mails or serves a copy of the citation, whichever occurs first. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions, please contact Jeffrey Warren at (530) 621-7628 or by email jeffrey.warren@edcgov.us, or Bryan Vyverberg at (530) 621-5924 or by email bryan.vyverberg@edcgov.us.

Sincerely,

Jeffrey Warren, REHS
Environmental Health Program Manager

Cc: Ali Rezvani, PE
Enc.

EL DORADO COUNTY
COMMUNITY DEVELOPMENT SERVICES
ENVIRONMENTAL MANAGEMENT DEPARTMENT

TO: GRAYS MART AND GAS
5 NADIA JOY COURT
SACRAMENTO, CA 95834
ATTN: GURINDERPAL GILL, OWNER

CITATION FOR VIOLATION OF TITLE 22, CALIFORNIA CODE OF REGULATIONS
SECTION(s) 64432, 64432.1(a), 64432.1(b)
WATER SYSTEM NO: 0900107
CITATION NO: 01_39_17C_008_0900107_03
ISSUE DATE: 11/28/2017

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for failure to comply with a requirement of the California Safe Drinking Water Act, California Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270 (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The County of El Dorado Community Development Services, Environmental Management Department (hereinafter "Department"), hereby issues a citation to the **GRAYS CORNER WATER SYSTEM** (5 Nadia Joy Court; Sacramento, CA 95834) for violation of Title 22 of the California Code of Regulations ("CCR"), Sections 64432, 64432.1 subsection (a), and 64432.1 subsection (b).

1

2

3 **APPLICABLE AUTHORITIES**

4 **Section 116275 of the California Health and Safety code provides in part:**

5 (b) "Department" means the state board.

6 (ab) "State board" means the State Water Resources Control Board.

7 **Section 116271 (k)(2) of the California Health and Safety Code states:**

8 (k)(2) The deputy director is delegated the State Water Resources Control
9 Board's authority to provide notice, approve notice content, approve emergency
10 notification plans, and take other action pursuant to Article 5 (commencing with
11 Section 116450), to issue, renew, reissue, revise, amend, or deny any public
12 water system permits pursuant to Article 7 (commencing with Section 116525), to
13 suspend or revoke any public water system permit pursuant to Article 8
14 (commencing with Section 116625) and to issue citations, assess penalties, or
15 issue orders pursuant to Article 9 (commencing with Section 116650).

16

17 **Section 116650 of California Health and Safety Code provides:**

18 (a) If the department determines that a public water system is in violation of this
19 chapter or any regulation, permit, standard, citation, or order issued or adopted
20 thereunder, the department may issue a citation to the public water system. The
21 citation shall be served upon the public water system personally or by certified
22 mail. Service shall be deemed effective as of the date of personal service or the
23 date of receipt of the certified mail. If a person to whom a citation is directed

refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

California Code of Regulations, Title 22, Section 64431 (Maximum Contaminant Levels – Inorganic Chemicals) states in relevant part:

Public water systems shall comply with the primary MCLs in table 64431-A as specified in this article.

Table 64431-A

**Maximum Contaminant Levels
Inorganic Chemicals**

<i>Chemical</i>	<i>Maximum Contaminant Level, mg/L</i>
Aluminum	1.
Antimony	0.006
Arsenic	0.010
Asbestos	7 MFL*

Barium	1.
Beryllium	0.004
Cadmium	0.005
Chromium	0.05
Cyanide	0.15
Fluoride	2.0
Mercury	0.002
Nickel	0.1
Nitrate (as nitrogen)	10.
Nitrate+Nitrite (sum as nitrogen)	10.
Nitrite (as nitrogen)	1.
Perchlorate	0.006
Selenium	0.05
Thallium	0.002

*MFL = million fibers per liter; MCL for fibers exceeding 10 µm in length.

California Code of Regulations, Title 22, Section 64432 (Monitoring and Compliance – Inorganic Chemicals) states in relevant part:

(a) All public water systems shall monitor to determine compliance with the nitrate and nitrite MCLs in table 64431-A, pursuant to subsections (d) through (f) and Section 64432.1.

(d) For the purposes of sections 64432, 64432.1, 64432.2, and 64432.3, detection shall be defined by the detection limits for purposes of reporting (DLRs) in table 64432-A.

Table 64432-A
Detection Limits for Purposes of Reporting (DLRs) for Regulated Inorganic Chemicals

<i>Chemical</i>	<i>Detection Limit for Purposes of Reporting (DLR) (mg/L)</i>
Aluminum	0.05
Antimony	0.006
Arsenic	0.002
Asbestos	0.2 MFL>10um*
Barium	0.1
Beryllium	0.001
Cadmium	0.001
Chromium	0.01
Cyanide	0.1
Fluoride	0.1
Mercury	0.001
Nickel	0.01
Nitrate (as nitrogen)	0.4
Nitrite (as nitrogen)	0.4
Perchlorate	0.004
Selenium	0.005
Thallium	0.001

* MFL=million fibers per liter; DLR for fibers exceeding 10 um in length.

(e) Samples shall be collected from each water source or a supplier may collect a minimum of one sample at every entry point to the distribution system which is representative of each source after treatment. The system shall collect each sample at the same sampling site, unless a change is approved by the State Board.

(f) A water system may request approval from the State Board to composite samples from up to five sampling sites, provided that the number of sites to be composited is less than the ratio of the MCL to the DLR. Approval will be based on a review of three years of historical data, well construction and aquifer information for groundwater, and intake location, similarity of sources, and watershed characteristics for surface water. Compositing shall be done in the laboratory.

1 (1) Systems serving more than 3,300 persons shall composite only from
2 sampling sites within a single system. Systems serving 3,300 persons or less may
3 composite among different systems up to the 5-sample limit.

4 (2) If any inorganic chemical is detected in the composite sample at a level
5 equal to or greater than one fifth of the MCL, a follow-up sample shall be analyzed
6 within 14 days from each sampling site included in the composite for the contaminants
7 which exceeded the one-fifth-MCL level. If available, duplicates of the original sample
8 taken from each sampling site used in the composite may be used instead of
9 resampling; the analytical results shall be reported within 14 days. The water supplier
10 may collect up to two additional samples each from one or more of the sources to
11 confirm the result(s).

12 (3) Compliance for each site shall be determined on the basis of the individual
13 follow-up samples, or on the average of the follow-up and confirmation sample(s) if the
14 supplier collects confirmation sample(s) for each detection.

15
16 **California Code of Regulations, Title 22, Section 64432.1 – subsection (a) states in**
17 **relevant part:**

18 (a) To determine compliance with the MCL for nitrate in Table 64431- A, all public
19 water systems using groundwater and transient-noncommunity systems using
20 approved surface water shall monitor annually, and all community and
21 nontransient-noncommunity systems using approved surface water shall
22 monitor quarterly.
23

1 **California Code of Regulations, Title 22, Section 64432.1 – subsection (b) states in**
2 **relevant part:**

3
4 (b) All public water systems shall monitor to determine compliance with the MCL
5 for nitrite in Table 64431-A, by taking one sample at each sampling site during
6 the compliance period beginning January 1, 1993.

7 (1) If the level of nitrite in a single sample is greater than the MCL, the water
8 supplier shall proceed as for nitrate in accordance with paragraph (a)(1) of
9 this section.

10 (2) The repeat monitoring frequency for systems with an analytical result for
11 nitrite that is greater than or equal to 50 percent of the MCL shall be
12 quarterly monitoring for at least one year. After four consecutive quarterly
13 samples are less than the MCL, a system may request that the State
14 Board reduce monitoring frequency to annual sampling, collecting
15 subsequent samples during the quarter which previously resulted in the
16 highest analytical results.

17 (3) The repeat monitoring frequency for systems with an analytical result for
18 nitrite that is less than 50 percent of the MCL shall be one sample during
19 each compliance period (every three years).

20 **Local Primacy Delegation Agreement, Section 1.02.** The Department hereby
21 delegates to the County all authority granted to it under the California Safe Drinking
22 Water Act (CHSC 116270) for regulation of small public water systems.

STATEMENT OF FACTS

The **GRAYS CORNER WATER SYSTEM** (System) is operated under Domestic Water Supply Permit Number 0900107, issued by the El Dorado County Environmental Management Department on February 12, 2010.

The System is a transient-noncommunity water system located in El Dorado County that supplies water to approximately 100 people per day for domestic purposes. The System operates all 365 days per year. The System is, according to Section 64432.1(a) of Title 22, required to collect one sample per year for analysis of Nitrate content to determine compliance with the MCL for nitrate. The System is, according to Section 64432.1(b) of Title 22, required to collect one sample every three years for analysis of Nitrite content to determine compliance with the MCL for nitrite.

In 2015 and 2016, the System failed to collect the minimum of one routine Nitrate sample from the groundwater well source in the water system. In 2015 and 2016, the System failed to collect the minimum of one routine Nitrite sample per compliance period from the groundwater well source in the water system. The last sample collection and testing for Nitrite from the well source in the water system was completed on July 29th, 2011.

DETERMINATIONS

Based on the Statement of Facts, the System failed to collect the minimum of one routine Nitrate sample per year and one Nitrite sample per compliance period from the

groundwater well source in the system for the years 2015 and 2016. Consequently, the Department has determined that the System violated Sections 64432, 64432.1(a), and 64432.1(b) of Title 22 of the California Code of Regulations for the years 2015 and 2016.

DIRECTIVES

The System is hereby directed to take the following actions:

1. **Comply with Sections 64432, 64432.1(a), and 64432.1(b) of Title 22 of the California Code of Regulations in future monitoring periods.**
2. **Within 30 days of issuance of this Citation, notify all persons served by the System of the monitoring violations for nitrate and nitrite as required by Section 64463.7, Title 22, of the California Code of Regulations.**

Notification shall be completed in accordance with each of the following:

- a. **Posting the notification contained in Attachment "A" in conspicuous locations throughout the area served by the water system.**
- b. **Provide the notification contained in Attachment "A" by one or more of the following methods to reach persons not likely to be reached by the previous method:**
 - i. **Publication in a local newspaper or newsletter distributed to persons served by the water system;**
 - ii. **Email notification message to employees;**

1 iii. Posting on the internet;

2 iv. Direct delivery to each person served by the water system.

3
4 3. Complete and return Attachment 'B' "Certification of Completion of Public
5 Notification" form within 10 days of giving public notice. A copy of the
6 notice used to provide public notification shall be attached to the form.

7
8 4. Within 30 days of receipt of this Citation, the System shall submit a written
9 response to the Department indicating its willingness to comply with
10 directives of this Citation.

11
12
13 All submittals required by this Citation shall be submitted to the Department at the
14 following address:

15 Jeffrey Warren, REHS
16 Environmental Management Program Manager
17 El Dorado County Community Development Services
18 Environmental Management Department
19 2850 Fairlane Ct., Building "C"
20 Placerville, CA 95667
21

22 The Department reserves the right to make such modifications to this Citation as it may
23 deem necessary to protect public health and safety. Such modifications may be issued
24 as amendments to this Citation, and shall be deemed effective upon issuance.

1 Nothing in this Citation relieves Water System of its obligation to meet the requirements
2 of the California Safe Drinking Water Act (SDWA), or of any regulation, permit, standard,
3 or order issued or adopted thereunder.

4 **PARTIES BOUND**

5 This Citation shall apply to and be binding upon the Grays Corner Water System, its
6 officers, directors, shareholders, agents, employees, contractors, successors, and
7 assignees.

8 **SEVERABILITY**

9 The directives of this Citation are severable, and the Grays Corner Water System shall
10 comply with each and every provision thereof, notwithstanding the effectiveness of any
11 other provision.

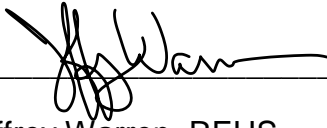
12 **FURTHER ENFORCEMENT ACTION**

13 The California SDWA authorizes the Department to: issue citation with assessment of
14 administrative penalties to a public water system for violation or continued violation of
15 the requirements of the California SDWA or any permit, regulation, permit or order
16 issued or adopted thereunder including, but not limited to, failure to correct a violation
17 identified in a citation or compliance order. The California SDWA also authorizes the
18 Department to take action to suspend or revoke a permit that has been issued to a
19 public water system if the system has violated applicable law or regulations or has failed
20 to comply with an order of the Department; and to petition the Superior Court to take
21 various enforcement measures against a public water system that has failed to comply

1 with or violates an order of the Department. The Department does not waive any further
2 enforcement action by issuance of this citation.

3
4 11/28/2017

5 Date


Jeffrey Warren, REHS
Environmental Health Program Manager
El Dorado County
Community Development Services
Environmental Management Department

10 Attachments:

- 11 A. Tier 3 Monitoring Violations Notice Template
12 B. Certification of Completion of Public Notification
13

14 cc: Ali R. Rezvani, P.E.
15 Sacramento District Engineer
16 Division of Drinking Water
17 State Water Resources Control Board
18
19